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NOV 03 2005

In re Application of

James R. Schneider

Application No. 09/307,956

Filed: May 10, 1999

Attorney Docket No. 13394

**OFFICE OF PETITIONS**

DECISION ON PETITION  
TO MAKE SPECIAL UNDER  
37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed June 15, 2005, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement from Inventor James R. Schneider stating that he is 65 years old or more and a copy of Mr. Schneider's California Driver's License showing his date of birth. Accordingly, the above-identified application has been accorded "special" status.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at 571-272-3210.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 3738 for action on the merits commensurate with this decision.

Denise Pothier  
Petitions Examiner  
Office of Petitions

cc: Bozicevic Field & Francis LLP  
200 Middlefield Road, Suite 200  
Menlo Park, CA 94025



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ON PETITION

This is a decision on the petition filed, February 1, 2005 under 37 CFR 1.137(b), to revive the above-identified application.


The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed May 7, 2003, which set a shortened statutory period for reply of three (3) months. No extension of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on August 8, 2003.

The above-identified application is being revived solely for purposes of continuity with a Request For Continued Examination (RCE) filed on February 1, 2005.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210.

This application is being forwarded to Technology Center AU 3738 for further processing.

  
Irvin Dingle  
Petitions Examiner  
Office of Petitions